

Rosemary M. Rivas (State Bar No. 209147)  
rrivas@finkelsteinthompson.com  
Mark Punzalan (State Bar No. 247599)  
mpunzalan@finkelsteinthompson.com  
Daniel T. LeBel (State Bar No. 246169)  
dlebel@finkelsteinthompson.com

**FINKELSTEIN THOMPSON LLP**

100 Bush Street, Suite 1450  
San Francisco, CA 94104  
Telephone: (415) 398-8700  
Facsimile: (415) 398-8704

[Additional Counsel Listed on Signature Page]

Counsel for Individual and Representative Plaintiff

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

JOEL RUIZ, On Behalf of Himself and All  
Others Similarly Situated,

Plaintiff,

vs.

GAP, INC., and DOES 1-9 inclusive,

Defendant.

Case No. CV07-05739-SC

**PLAINTIFF'S UNOPPOSED MOTION  
FOR ADMINISTRATIVE RELIEF;  
DECLARATION OF DANIEL T.  
LEBEL**

Room: Courtroom 1, 17th Floor  
Judge: Honorable Samuel Conti

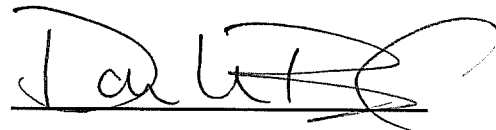
1 On August 15, 2008, Plaintiff filed his Opposition to Defendant's Motion to Strike  
2 Plaintiff's Class Definition, or in the Alternative to Amend the Class Definition (Docket No. 59).  
3 In support of his opposition, Plaintiff filed the Declaration of Tracy Rezvani in Opposition to  
4 Defendant's Motion to Strike Class Definition (Docket No. 60) ("Rezvani Declaration").  
5 Plaintiff attached certain deposition notices as Exhibit D to the Rezvani Declaration.

6 Following Plaintiff's filing, Defendant Gap and its third party vendor informed Plaintiff  
7 that they believe Exhibit D contains confidential material the Defendant designated  
8 "Confidential- Attorneys' Eyes Only" pursuant to the Protective Order entered by the Court.  
9 Without agreeing to Defendant's designation, on August 22, 2008, Plaintiff filed the Amended  
10 Declaration of Tracy Rezvani in Opposition to Defendant's Motion to Strike (Docket No. 61),  
11 omitting this exhibit.

12 Pursuant to Local Rule 7-11, Plaintiff hereby respectfully requests that the Court order  
13 that the Rezvani Declaration (Docket No. 60) be removed from the Court's records and returned  
14 to Plaintiff and the hyperlinks to Docket No. 60 and its attachments through ECF be removed or  
15 otherwise permanently locked.

16 Dated: August 25, 2008

**FINKELSTEIN THOMPSON LLP**

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Daniel T. LeBel

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21 Rosemary M. Rivas  
22 Mark Punzalan  
23 100 Bush Street, Suite 1450  
24 San Francisco, CA 94104  
25 Telephone: (415) 398-8700  
26 Facsimile: (415) 398-8704  
27  
28

1 Mila F. Bartos  
2 Tracy Rezvani  
3 Karen J. Marcus  
4 **FINKELSTEIN THOMPSON LLP**  
5 1050 30th Street, NW  
6 Washington, D.C. 20007  
7 Telephone: 202.337.8000  
8 Facsimile: 202.337.8090

9 *Of Counsel*  
10 Ben Barnow  
11 **Barnow & Associates P.C.**  
12 One N. LaSalle Street  
13 Suite 4600  
14 Chicago, IL 60602  
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**Declaration of Daniel T. LeBel**

I, Daniel T. LeBel, an associate with Finkelstein Thompson LLP, licensed to practice before this Court, declare as follows:

1. On August 15, 2008, Plaintiff filed his Opposition to Defendant's Motion to Strike Plaintiff's Class Definition, or in the Alternative, to Amend the Class Definition (Docket No. 59). At that time, Plaintiff also filed the Declaration of Tracy Rezvani In Opposition to Defendant's Motion to Strike Class Definition (Docket No. 60) ("Rezvani Declaration"). Plaintiff attached certain deposition notices as Exhibit D to the Rezvani Declaration.

2. Defendant Gap and its third party vendor claim that Exhibit D contains confidential material designated "Confidential- Attorneys' Eyes Only" pursuant to the Protective Order entered by the Court.

3. On August 22, 2008, Plaintiff filed the Amended Declaration of Tracy Rezvani in Opposition to Defendant's Motion to Strike (Docket No. 61), omitting the attachment that Defendant and its third-party vendor find objectionable.

4. On August 25, 2008, I spoke with counsel for Defendant who informed me that Defendant does not oppose this motion.

I declare under penalty of perjury under the laws of the State of California that the foregoing facts are true and correct. Executed this 25th day of August, 2008 in San Francisco.

  
Daniel T. LeBel